Application Number	10/719,776		Applicant(s)/Patent (Reexamination	ınder			
Document Code - DISQ		Internal Do	ocument – DC	NOT MAIL			
TERMINAL DISCLAIMER	⊠ APPROVI			☐ DISAPPROVED			
Date Filed : November 7, 2007	This patent is subject to a Terminal Disclaimer						
Approved/Disapproved by:							
Henry D. Jefferson							

U.S. Patent and Trademark Office

## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			19-Nov-07	APPL. S. N:	10719776		
To Exam	iner:		MALEK, LEILA	Art Unit	2611		
From			Logan, Rugenia PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68		
SUBJEC.	<b>r:</b> Decisio	on on Terminal	Disclaimer(T.D.) filed:		•		
form par or have a	agraphs i any quest	dentified by the	is informal memo in your nex se me or the Special Program	results as set forth below. If you a t Office action to notify applicant of Examiner. THIS IS AN INFORMAL, DF RECORD IN THE APPLICATION F	f the T.D. If you disagree INTERNAL MEMO ONLY.		
please in	itial, date	and return th	is memo to me. THANK YOU.				
V	The T.D.	is PROPER an	d has been recorded (see 14.3	23).			
	The T.D.	is NOT PROPE	R and has not been accepted	for the reason(s) checked below (s	see 14.24):		
	Γ	The TD fee of use of a depo	,	tted nor is there any authorization	in the application file for the		
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).					
	Γ	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).					
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).					
		The person w	ho signed the T.D.:				
		is no	ot an attorney "of record" (see	e 14.29 and 14.29.01).			
		has	failed to state his/her capacit	y to sign for the business entity (se	ee 14.28).		
		is no	ot recognized as an officer of t	the assignee (see 14.29 & possible	14.29.02).		
		nor is the ree (see 37 CFR 3	I and frame number specified 3.73(b) and 1140 O.G. 72). No	e from the original inventor(s) to as as to where such evidence is recor OTE: This documentary evidence of in a separate paper of record in the	ded in the Office r the specifying of the reel and		
		The T.D. is no	ot signed (see 14.26 & 14.26.	03).	,		
			mber of the application (or the ection is missing or incorrect (	e number of the patent) which form see 14.32).	is the basis for the double		
			mber of this application (or the missing or incorrect (see 14.2	e number of the patent in reexam of 14.26.05).	or reissue cases being		
	Γ	The period dis	sclaimed is incorrect or not sp	ecified (see 14.26, 14.27.02 or 14.	26.03).		
		Other:			le de la companya de La companya de la companya de		
		Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.					
( have ap	propriate	ely notified app	olicant(s) of the status of the	Terminal Disclaimer filed in this cas	e.		
Ex.Initial	s:	Date	e:		Log Date:		

# TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number

Q102454

In re Application of:

Nidham BEN RACHED, et al.

Application No.:

10/719,776

Filed:

November 21, 2003

METHOD FOR DETECTING A SIGNAL AND RECEIVER SYSTEM FOR THE

For: IMPLEMENTATION OF THE METHOD

The owner\*, Alcatel Lucent, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/718,423, filed on November 20, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. \( \overline{\text{The undersigned is an attorney or agent of record.} \)

/Kelly G. Hyndman 3	November 7, 2007		
Signature		Date	
Kelly G. Hyndman	39,234	(202) 293-7060	
Typed or printed name	Reg No.	Telephone Number	

Terminal disclaimer fee under 37 CFR 1.20(d) or authorization to charge said fee to Deposit Account No. 19-4880 is included.

<sup>\*</sup>Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

#### PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q102454

Nidham BEN RACHED, et al.

Appln. No.: 10/719,776

Group Art Unit: 2611

Confirmation No.: 2886

Examiner: Leila MALEK

Filed: November 21, 2003

For:

METHOD FOR DETECTING A SIGNAL AND RECEIVER SYSTEM FOR THE

IMPLEMENTATION OF THE METHOD

### SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. The amount of \$130.00 is being charged to Deposit Account No. 19-4880 via EFS Payment Screen. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC Telephone: (202) 293-7060 Facsimile: (202) 293-7860

WASHINGTON OFFICE 23373
CUSTOMER NUMBER

Date: November 7, 2007

/Kelly G. Hyndman 39,234/ Kelly G. Hyndman Registration No. 39,234